

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

NATASHA LYNETTE BOLES,

Plaintiff,

vs.

ELI LILLY AND CO.,

Defendant.

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No. 1:15-cv-00351-JMS-DKL

ORDER

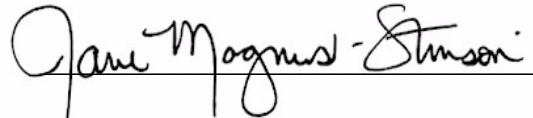
On March 22, 2016, the Magistrate Judge granted a Motion to Withdraw as Counsel filed by counsel for Plaintiff Natasha Boles. [[Filing No. 60.](#)] The Magistrate Judge stated “[o]n or before April 18, 2016, Ms. Boles shall advise the court, in writing, if she intends to pursue this case with counsel or if she intends to pursue this matter representing herself (pro se). Plaintiff’s failure to comply with this order will result in the undersigned recommending dismissal of her case without prejudice for failure to prosecute.” [[Filing No. 60 at 1](#) (emphasis omitted).] Ms. Boles did not advise the Court by April 18, 2016 whether she intends to pursue this action and, in fact, has not done so to date. On April 26, 2016, the Magistrate Judge noted that Ms. Boles had failed to comply with the March 22, 2016 Order, and recommended that her case be dismissed for failure to prosecute her claims. [[Filing No. 61.](#)]

Because Ms. Boles failed to comply with the March 22, 2016 Order – even after being warned that failure to comply would result in dismissal of her claims – the Court finds that dismissal of her claims without prejudice is appropriate. See [Link v. Wabash R. Co., 370 U.S. 626, 630-31 \(1962\)](#) (“The authority of a court to dismiss *sua sponte* for lack of prosecution has generally been considered an ‘inherent power,’ governed not by rule or statute but by the control necessarily

vested in courts to manage their own affairs so as to achieve the orderly and expeditious disposition of cases.”); *see also* [GCIU Employer Retirement Fund v. Chicago Tribune Co.](#), 8 F.3d 1195, 1198-99 (7th Cir. 1993) (“[A] party cannot decide for itself when it feels like pressing its action and when it feels like taking a break because trial judges have a responsibility to litigants to keep their court calendars as current as humanly possible.” (quotation omitted)).

Accordingly, the Court **DISMISSES** Ms. Boles’ claims **WITHOUT PREJUDICE** for failure to prosecute.

Date: July 6, 2016

A handwritten signature in black ink, reading "Jane Magnus-Stinson". The signature is written in a cursive, flowing style. The first name "Jane" is written with a large, looped capital "J". The last name "Stinson" is written with a large, looped capital "S".

Hon. Jane Magnus-Stinson, Judge
United States District Court
Southern District of Indiana

Distribution via ECF only to all counsel of record

Distribution via United States Mail to:

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